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7 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 ELMER EDUARDO RODRIGUEZ,

12 Defendant.

Case No. 2:18-cr-279-APG-EJY

**STIPULATION TO CONTINUE
HEARING**
(Second Request)

13 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher
14 Chiou, Acting United States Attorney, and Melanee Smith, Assistant United States
15 Attorney, counsel for the United States of America, and M. Kent Kozal, and Steven M.
16 Altig, co-counsel for Defendant Elmer Eduardo Rodriguez, that the hearing currently
17 scheduled for May 27, 2021 at 9:00 am, be vacated and set to a date and time convenient
18 to this Court, but no sooner than thirty (30) days.

19 The Stipulation is entered into for the following reasons:

- 20 1. Parties have entered plea negotiations and counsel for defendant needs
21 additional time to review the offer with the defendant.
- 22 2. A resolution to the case would obviate the need for a hearing.
- 23 3. The defendant is not in custody and agrees to the continuance.
- 24

1 4. Additionally, denial of this request for a continuance could result in a
2 miscarriage of justice.

3 This is the second stipulation to continue the hearing filed herein.

4 DATED this 19th day of May, 2021.

5 CHRISTOPHER CHIOU
6 Acting United States Attorney

7 */s/ Melanee Smith*
8 By _____
9 MELANEE SMITH
10 Assistant United States Attorney

11 */s/ M. Kent Kozal and Steven M. Altig*
12 M. KENT KOZAL and
13 STEVEN M. ALTIG
14 Counsel for Defendant Elmer Rodriguez

